

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

Petition for Rulemaking

BACKGROUND:

The "Emergency Alert System", with the now-required "Force Tuning", is CURRENTLY effective ONLY TO THOSE WHO HAPPEN TO HAVE THEIR TV TURNED ON.

SUBMISSION:

It is hereby submitted by this petitioner, that a regulation be established, requiring all newly manufactured TV's, as well, perhaps, as other broadcast receiving devices (i.e. radios, PDAs, etc.)-- to include an inexpensive BACKUP BATTERY and circuitry to AUTOMATICALLY SWITCH ON the device upon detection of the characteristic emergency alert signal (or a preliminary "turn-on-signal").

OBJECTIVE AND REASON:

Currently, in any emergency, activation of the emergency alert system would come to the attention of only that small percentage of the total population, who happened to be currently tuned to some broadcasting frequency (i.e. have their radio, TV, or PDA turned on) -- not to the vast majority, who do not happen to have any of those devices turned on at the time. The objective of subject suggestion, is to provide assurance that such activation would come to the attention of all who are within hearing distance of any such device, whether or not they happened to have it turned on.

ESSENTIAL REGULATORY CONTENT:

Requirement for all newly manufactured radios, TVs, (and perhaps also, computers, cell

phones, PDAs, and other communication devices) to have installed, an automatically (and continually) rechargeable/standby battery or power supply, and automatic tuner that automatically TURNS ON AND TUNES to the emergency alert system signal, upon detection of a specified frequency signal, broadcast pursuant to the authority of the FCC, Homeland Security, or other authority.

#### REASON FOR BATTERY, RATHER THAN "TRICKLE POWER" -- AND

##### FURTHER "FAIL-SAFE" PROVISION:

The reason, of course, that a battery should be utilized for automatic switch-on, in place of what might be termed constant trickle power from the community power line itself, is that ordinary, community electric power may be subject to disablement by either: hostile cyber-interference, and/or independently, by the nature of the event, itself, constituting the emergency.

For the same reason, it is submitted that any such backup battery required to be installed in a device designed for operation on ordinary community power, should be of sufficient capacity not just to operate the switch-on function, but also to operate the device, itself, (as well, perhaps, as the volume control) for at least long enough to accommodate the broadcast of emergency information.

It is submitted that it should be required that any time such backup battery needs recharging, the manual on/off switch be deactivated until the battery has been recharged (in order to force the recharging).

Submitted by: Alan R. Marks, in Pro Per

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**VERIFICATION:**

I, Alan R. Marks, declare, under penalty of perjury, that all facts stated herein, are true and correct to the best of my knowledge.

Executed this 9<sup>th</sup> day of July 2009, in the county of Alameda, CA

Alan R. Marks

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